## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

SHAFIGHEH KOUBLANI, :

Plaintiff,

-vs- : 2:20-cv-01741-DRH-AYS

COCHLEAR LIMITED AND COCHLEAR : **Oral Argument** AMERICAS, : **Requested** 

Defendants. :

, cremains.

DECLARATION OF LAUREN S. COLTON IN SUPPORT OF DEFENDANT COCHLEAR AMERICAS CORPORATION'S MOTION TO DISMISS THE AMENDED COMPLAINT

I, Lauren S. Colton, declare as follows, under penalty of perjury:

- I am a partner of Hogan Lovells, counsel to Defendant Cochlear Americas Corporation
  ("CAM") in the above-captioned matter. I submit this declaration in support of CAM's
  Motion to Dismiss the Amended Complaint (the "Motion"). The facts set forth in this
  Declaration are based upon my personal knowledge and upon information and belief.
- Attached as Exhibit A is a true and correct copy of the approval entry from the FDA's Premarket Approval Database for PMA Supplement P970051, S137, saved from the FDA's website on September 18, 2020.
- 3. Attached as **Exhibit B** is a true and correct copy of the approval entry from the FDA's Premarket Approval Database for PMA Supplement P970051, S126, saved from the FDA's website on September 18, 2020.

4. Attached as **Exhibit C** is a true and correct copy of the Medical Malpractice Complaint,

filed by Plaintiff Shafigheh Koublani in the New York State Supreme Court proceeding

Koublani v. Doe, et al., No. 609756/18 (NYSECF Doc. No. 1) (July 23, 2018).

5. Attached as Exhibit D is a true and correct copy of the Medical Malpractice Bill of

Particulars, filed by Plaintiff Shafigheh Koublani in the New York State Supreme Court

proceeding Koublani v. Doe, et al., No. 609756/18 (NYSECF Doc. No. 15) (Oct. 10,

2018).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true

and correct.

Dated: September 18, 2020

Baltimore, Maryland

Respectfully submitted,

/s/ Lauren S. Colton

Lauren S. Colton (pro hac vice) HOGAN LOVELLS US LLP

100 International Drive, Suite 2000

Baltimore, MD 21202

Tel.: (410) 659-2700 Fax: (410) 659-2701

lauren.colton@hoganlovells.com

Attorney for Defendant Cochlear Americas

Corporation

2